

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Barreca

Serial No.: Not yet assigned

Filed: Herewith

Atty. File No.: 3676-18-CON-3

For: "FUNCTIONAL GUMS, LOZENGES
AND LOLLIPOPS"

Assistant Commissioner for Patents
Washington, D.C. 20231

) Group Art Unit: 1615

) Examiner: Susan Tran

) INFORMATION DISCLOSURE
) STATEMENT

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TYPED OR PRINTED NAME: Brenda Carpenter

SIGNATURE: Brenda Carpenter

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby submits the enclosed PTO Form 1449. The documents identified herein were of record in U.S. Patent Application Serial No. 10/316,700, and since the above-identified patent application is a continuation thereof, copies of the identified documents are not being submitted under 37 CFR § 1.98(d). Applicant does not admit that any of such documents, alone or in any combination, are considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified patent application.

Respectfully submitted,

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3676-18-CON-3	SERIAL NO. Not yet assigned
	APPLICANT Barreca	
	FILING DATE Herewith	GROUP ART 1615

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	AA	4,156,740	5/29/79	Glass et al.	426	3	
	AB	4,157,402	6/5/79	Ogawa et al.	426	5	
	AC	4,223,023	9/16/80	Furda	424	180	
	AD	4,250,196	2/10/81	Friello	426	5	
	AE	4,292,329	9/29/81	Ogawa et al.	426	5	
	AF	4,316,915	2/23/82	Friello et al.	426	5	
	AG	4,400,372	8/23/83	Muhler et al.	424	48	
	AH	4,466,983	8/21/84	Cifrese et al.	426	5	
	AI	4,512,968	4/1985	Komiyama et al.	424	48	
	AJ	4,513,012	4/23/85	Carroll et al.	426	5	
	AK	4,642,235	2/10/87	Reed et al.	426	5	
	AL	4,647,450	3/3/87	Peters et al.	424	48	
	AM	4,683,138	7/28/87	Glass et al.	426	5	
	AN	4,738,850	4/19/88	Thakur et al.	424	468	
	AO	5,846,952	12/8/98	Vournakis et al.	514	55	
	AP	4,792,453	12/20/88	Reed et al.	426	5	
	AQ	4,963,367	10/16/90	Ecanow	424	485	
	AR	4,975,288	12/4/90	Hager et al.	426	5	
	AS	4,980,178	12/25/90	Cherukuri et al.	426	5	
	AT	5,078,460	1/7/92	Holsinger	312	244	
	AU	5,125,819	6/30/92	Hager et al.	425	133.1	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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	AV	5,248,508	9/28/93	Reed et al.	426	5	
	AW	5,344,659	9/1994	Kurihara et al.	426	3	
	AX	5,409,905	4/25/95	Eby, III	514	23	
	AY	5,431,929	7/11/95	Yatka et al.	426	3	
	AZ	5,474,989	12/12/95	Hashimoto et al.	514	55	
	AAA	5,498,429	3/12/96	Orlandi et al.	426	5	
	ABB	5,569,477	10/29/96	Nesbitt	426	5	
	ACC	5,736,175	4/7/98	Cea et al.	426	6	
	ADD	5,747,475	5/5/98	Nordquist et al.	514	55	
	AEE	5,798,101	8/25/98	Haveson	424	730	
	AFF	5,824,291	10/20/98	Howard	424	48	
	AGG	5,827,526	10/27/98	Dohnalek et al.	424	440	
	AHH	5,830,883	11/3/98	Block et al.	514	55	
	All	5,834,002	11/10/98	Athanikar	424	440	
	AJJ	5,846,557	12/8/98	Eisenstadt et al.	424	439	
	AKK	5,858,423	1/12/99	Yajima et al.	426	3	
	ALL	5,866,179	2/2/99	Testa	426	3	
	AMM	5,880,109	3/9/99	Nakaura et al.	514	55	
	ANN	5,885,630	3/23/99	Zurawski et al.	426	5	
	AOO	5,891,422	4/6/99	Pan et al.	424	49	
	APP	5,900,230	5/4/99	Cutler	424	49	
	AQQ	5,910,308	6/8/99	D'Jang	424	195.1	
	ARR	5,912,030	6/15/99	Huzinec et al.	426	3	
	ASS	5,916,606	6/29/99	Record et al.	426	3	
	ATT	5,922,347	7/13/99	Hausler et al.	424	441	

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	AUU	5,945,107	8/31/99	Hessel et al.	424	728	
	AVV	6,165,516	12/26/00	Gudas et al.	424	003	
	AWW	6,224,872	5/1/01	Shibuya et al.	424	195	
	AXX	6,350,480	2/26/02	Urnezis et al.	426	5	
	AYY	20020159956	10/31/02	Ream et al.	424	48	
	AZZ	20020127189	9/12/02	Myers et al.	424	48	
	AAAA	6,491,540	12/10/02	Barreca	439	440	
	ABBB	6,139,872	10/2000	Walsh	424	464	
	ACCC	6,248,378	6/2001	Ganan-Calvo	426	89	
	ADDD	US 2002/0164398A	11/2002	Johnson et al.	426	3	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	AEEE	S59-025646	2/9/84	Japan			X	
	AFFF	WO 98/23165	06/1998	World			X	
	AGGG							
	AHHH							

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OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	AIII	Sato et al., "On Drowsiness Preventive Gum that Contains Guarana Extract", 1988, pages 1-11
	AJJJ	The Sydney Morning Herald, "Smarter up your act," 9/11/99, 4 pages
	AKKK	Web page for Xylident Guarana, 2 pages
	ALLL	The Food Channel newsletter, 8/30/96, Vol. 8, No. 16
	AMMM	Printout of Kuat guarana products, 1 page
	ANNN	Printout of Herbalife "NRG" Gum (known as "Chew Slim Gum", 4 pages
	AOOO	Morton JF. "Widspread tannin intake via stimulants and masticatories, especialy guarana, kola nut, betel vine, and accessories"; Basic Life Sci 1992; 59:739-65
	APPP	Miura et al. "Effect of guarana on exercise in normal and epinephrine-induced glycogenolytic mice"; Biol PHarm Bull, June 1998 21(6)646-8.

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